

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and the following remarks are presented for the Examiner's consideration.

This paper amends claims 1, 2, 5, 6 and 7.

In regard to the informalities objected to by the Examiner, claim 5 has been amended to correct them.

Claims 6 and 7 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Claims 6 and 7 have been amended to overcome the Examiner's indefiniteness rejection.

In the present invention, a tool casing 10 comprises a crankcase 12 and the crankcase 12 is provided with a component 16 that is embedded in the crankcase wall when the crankcase 12 is cast. The component 16 is made of material with an E-module higher than that of the crankcase 12. The crankcase 12 has a protruding part 20 and a working tool carrier is clamped to a surface 11 of the protruding part 20. In order to increase the stiffness in a section 18 where the working tool carrier is attached to the tool casing 10, the protruding part 20 of the component 16 that creates the surface 11 is not covered by the material that the rest of the crankcase 12 is made of and, as a result, the section 18 is generated. The working tool carrier is aligned with the component 16 at the section 18.

Claims 1-6 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,363,618 to Durr (hereinafter "Durr"). For at least the following reasons, the Examiner's rejection is respectfully traversed.

In regard to claim 1, Durr discloses a stabilizing plate 7 that is embedded in a lower crankcase 6 and rests metalically on an upper crankcase 30 (col. 3, Ins. 29-47). The

stabilizing plate 7 assumes the reinforcement of the lower crankcase 6 and absorbs the traverse forces that are introduced from crankcase journals 15. In other words, Durr has nothing to do with a connection between a working tool carrier and a protruding part of the crankcase as cited in claim 1 of the present application and simply contemplates increasing the strength of a plastic crankcase. As a result, the concept of clamping the working tool carrier to the protruding part of the crankcase is not and could not have been contemplated by Durr.

In regard to claim 2, Durr also does not disclose the component that is part of the crankcase and extends between the crankcase and the section where the working tool carrier is clamped to the tool casing. The stabilizing plate 7 of Durr does not extend beyond the lower crankcase 6 and there is no discussion of securing the working tool carrier in Durr.

In regard to claim 5, Durr does not disclose the protruding part that is provided with a surface that the work tool carrier is clamped to. As discussed above, Durr does not contemplate a connection between the crankcase and the work tool carrier but rather pertains to the connection between the lower crankcase 6 and the upper crankcase 30.

In regard to claim 6, the concept of aligning the section of the component that is not embedded by the crankcase 12 with the working tool carrier is not disclosed by Durr.

Therefore, claims 1-6 and 8 are allowable.

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Durr in view of U.S. Patent No. 5,243,764 to Wieland (hereinafter "Wieland"). For at least the following reasons, the Examiner's rejection is respectfully traversed.

There is no motivation to combine Durr and Wieland because they relate to different connections. Durr relates to securing the upper crankcase 30 to the lower crankcase 6 while the Wieland relates to clamping an attachment base 42 of a housing 1 axially between an attachment appendage 47 of a motor block and a guide bar 32 so that a chain saw housing 1 made of plastic defines a unit together with the guide bar 32, the stud bolts 36 and the motor block (col. 1, Ins. 64 – col. 2, Ins. 2). There is no reason for a person of

ordinary skill in the art to think that the two references are relevant or that they could be combined when the references teach about connecting different sets of elements. The assertion in the Office action that the combination is obvious ignores such a difference and attempts to recreate the invention based on hindsight by relying on the teachings of the present application.

Therefore, claim 7 is allowable.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 37597.

Respectfully submitted,
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Date: March 6, 2007